

Applicants: Sundquist et al.

Serial No. 09/827,108

Page 6

### **REMARKS**

In the above referenced office action, claims 1, 3, 5-10, 12, 14, 16-17, 21-23, 25, 27, and 30-31 were rejected under 35 USC 102(b) and 102(e), as being anticipated by Bonner et al., Landberg et al., or VandenEinde et al. Claims 4 and 18 were rejected under 35 USC 103(a) as being obvious in view of Bonner et al. Applicant respectfully traverses these rejections.

The amended claims more clearly define embodiments wherein the expandable fixation member secures the elongated guiding device within the vasculature. In addition, electrode assemblies are slidably coupled to the guiding device and when advanced beyond a terminal end, are deployed. Multiple electrodes may be deployed while the elongated guiding device is secured in one location, or the elongated guiding device may be repositioned.

Bonner et al. teach a device wherein catheter travels with an attached electrode to facilitate implantation. There is no expandable fixation member as currently claimed. The guide body 70 is never secured to deploy a lead. The balloon 15 is provided to expand the lead engaging mechanism 70 and release the lead. It does not and cannot secure the guide body within the vasculature. To assert otherwise would render the device inoperable. In addition, no terminal end is provided so that advancement of a lead beyond the terminal end deploys the lead. The Bonner et al. device is essentially a complex, external stylet that is used to manipulate an attached lead whereas the present claims are directed to a fixable guide mechanism that may be positioned and then facilitate the introduction or advancement of a lead along the guide mechanism. Applicant respectfully asserts that the pending claims allowable and request withdrawal of these rejections.

Landberg et al. is a tubular catheter that may be used for ablation procedures. No tool, implement, or device is implanted. There is no coupling member, terminal end or equivalent structure that would allow deployment of a lead while the fixation member is expanded. The reference is not particularly relevant to the pending claims. Applicant respectfully asserts that the pending claims allowable and request withdrawal of these rejections.

Applicants: Sundquist et al.  
Serial No. 09/827,108  
Page 7

VandenEinde et al. teach a device that allows one guide wire to be replaced with another guide wire in a tool (e.g., catheter 358) that does not include a lumen along its entire length. In summary, this device provides a lumen that interfaces with the guidewire introduction opening of the tool. Again, this reference is of little relevance to the claims as amended. There is no elongated guiding device the is coupleable with an electrode assembly; thus, no expandable fixation member for the elongated guiding device. There is no terminal end and of course, no teaching related to deploying an electrode. Applicant respectfully asserts that the pending claims allowable and request withdrawal of these rejections.

Applicant respectfully asserts that the pending claims are in condition for allowance and requests notice of the same. Should any issues remain outstanding, the Examiner is urged to telephone the undersigned to expedite prosecution. Applicant reserves the right to present claims to the cancelled subject matter and to any unclaimed embodiments in subsequently filed continuing applications.

Respectfully submitted,

Date: 4/7/04



Daniel G. Chapik  
Registration No. 43,424  
MEDTRONIC, INC.  
Telephone: (763) 514-3066  
Facsimile: (763) 514-6982  
Customer No. 25781